



General Assembly

January Session, 2015

***Raised Bill No. 7042***

LCO No. 5520



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE PLACEMENT OF CHILDREN BY THE  
COMMISSIONER OF CHILDREN AND FAMILIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-12 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) When the commissioner, or the commissioner's designee,  
4 determines that a change of program is in the best interest of any child  
5 or youth committed or transferred to the department, the  
6 commissioner or the commissioner's designee, may transfer such  
7 person to any appropriate resource or program administered by or  
8 available to the department, to any other state department or agency,  
9 or to any private agency or organization within or without the state  
10 under contract with the department; [provided no] except: (1) No  
11 child or youth voluntarily admitted to the department under section  
12 17a-11 shall be placed or subsequently transferred to the Connecticut  
13 Juvenile Training School; [and further provided] (2) no transfer shall  
14 be made to any institution, hospital or facility under the jurisdiction of  
15 the Department of Correction, except as authorized by section 18-87 [.]

16 ; [unless it is so ordered by the Superior Court after a hearing. When,  
17 in the opinion of the commissioner, or the commissioner's designee, a  
18 person fourteen years of age or older is dangerous to himself or herself  
19 or others or cannot be safely held at the Connecticut Juvenile Training  
20 School, if a male, or at any other facility within the state available to  
21 the Commissioner of Children and Families, the commissioner, or the  
22 commissioner's designee, may request an immediate hearing before  
23 the Superior Court on the docket for juvenile matters where such  
24 person was originally committed to determine whether such person  
25 shall be transferred to the John R. Manson Youth Institution, Cheshire,  
26 if a male, or the Connecticut Correctional Institution, Niantic, if a  
27 female. The court shall, within three days of the hearing, make such  
28 determination. If the court orders such transfer, the transfer shall be  
29 reviewed by the court every six months thereafter to determine  
30 whether it should be continued or terminated, unless the  
31 commissioner has already exercised the powers granted to the  
32 commissioner under section 17a-13 by removing such person from the  
33 John R. Manson Youth Institution, Cheshire or the Connecticut  
34 Correctional Institution, Niantic. Such transfer shall terminate upon  
35 the expiration of the commitment in such juvenile matter] and (3) no  
36 transfer shall be made to any other state department or agency unless  
37 such transfer is ordered by the Superior Court after a hearing, at which  
38 (A) the child or youth is represented by counsel, and (B) a finding is  
39 made by the court that such transfer is in the best interests of the child  
40 or youth.

41 (b) Any delinquent child, if a male, may be placed at any time in the  
42 Connecticut Juvenile Training School. The commissioner may transfer  
43 any child or youth committed to the commissioner to any institution,  
44 hospital or facility for mentally ill children under the commissioner's  
45 jurisdiction for a period not to exceed fifteen days if the need for such  
46 emergency treatment is certified by a psychiatrist licensed to practice  
47 medicine by the state.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2015</i>	17a-12
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***Statement of Purpose:***

To ensure the safety and well-being of children and youth transferred by the Department of Children and Families to residential facilities operated or administered by other state agencies.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*